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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/060,550	01/30/2002	Christian Schann	MCA-490 D US	2027

25182 7590 05/21/2003

MILLIPORE CORPORATION
290 CONCORD ROAD
BILLERICA, MA 01821

EXAMINER

OCAMPO, MARIANNE S

ART UNIT	PAPER NUMBER
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1723

DATE MAILED: 05/21/2003

4

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/060,550

Applicant(s)

SCHANN, CHRISTIAN

Examiner

Marianne S. Ocampo

Art Unit

1723

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 May 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 8-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 8-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 January 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Drawings

1. Figure 1 should be designated by a legend such as --**Prior Art**-- because only that which is old is illustrated. See MPEP § 608.02(g).
2. The drawings are objected to because it is unclear which of Figures 2a or 2b is illustrating the present invention and the prior art.
3. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

4. The disclosure is objected to because of the following informalities:
 - a). In the short description/summary of the drawing figures, the phrase, "Figure 2" should be changed to "Figures 2a & 2b" and similarly, the phrase "Figure 3" should be changed to "Figures 3a & 3b" in page 4, lines 31 – 33.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 8 – 12 are rejected under 35 U.S.C. 102 (b) as being anticipated by Leason (US 4,113,627).

7. With regards to claim 8, Leason discloses a filter unit (13, 150) for removing contaminants from a fluid stream comprising a thermoplastic support member or housing (14 or 162, 13 or 160, 152), a porous filter element (12 or 154) and a thermoplastic overmold sealing member (182), the thermoplastic support member or housing (152) being formed of a first support part (162) and a second support part (160), each having at least one fluid flow passageway (168, 170), and at least one thermoplastic overmold flow passageway, the filter element (154) extending over the fluid flow passageways, its periphery adjacent to at least one thermoplastic overmold flow passageway and secured to the thermoplastic first and second support parts (160, 162) by the thermoplastic overmold sealing member (182) also being

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disposed through the thermoplastic overmold flow passageway (adjacent the fluid passageways 168 and 170), as in figs. 9 – 11 and cols. 6 - 9.

8. Regarding claim 9, Leason also discloses the filter unit (150) further comprising means for minimizing obturation (156, 174) of the filter element (154) by male luer fittings, as in figs, 10 - 11.

9. Concerning claims 10 - 11, Leason further discloses another embodiment of the filter unit (i.e. 93 or 100) further comprising means for centering (i.e. a centering aid) the filter unit when used in automated applications, as in figs. 6 & 16.

10. With regards to claim 12, disclose the filter unit further comprising an anti-obturation plate (156) for minimizing obturation of the filter element by male luer fittings, as in figs. 10 – 11 and col. 7.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US Patents 6,033,455 (Kurashima), 4,874,513 (Chakraborty et al.), 5,230,727 (Pound et al.), 5,688,460 & 5,556,541 (both to Ruschke).

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12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marianne S. Ocampo whose telephone number is (703) 305-1039. The examiner can normally be reached on Mondays to Fridays from 8:00 A.M. to 4:30 P.M..

13. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wanda Walker can be reached on (703) 308-0457. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9310 for regular communications and (703) 872-9311 for After Final communications.

14. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661.

M.S.O.

M.S.O.

May 16, 2003

W. L. Walker

W. L. WALKER

SUPERVISORY PATENT EXAMINER

TECHNOLOGY CENTER 1700